

**Remarks/Arguments:**

Claims 1-2 and 4-18 stand rejected under 35 U.S.C. § 102(b) as anticipated by Nonaka et al. (U.S. Patent No. 6,614,732). Claim 3 stands rejected under 35 U.S.C. § 103(a) as obvious over Nonaka and Proehl et al. (U.S. Patent No. 6,118,450). It is respectfully submitted, however, that the claims are patentable over the art of record for the reasons set forth below.

Applicants' invention, as recited by amended claim 1, includes a feature which is neither disclosed nor suggested by the art of record, namely:

...a play list file menu which is information about a hierarchical structure by which the play list files are accessible....

This feature is found in the originally filed application at page 15, lines 21-23. No new matter has been added.

Nonaka is directed to a record playback apparatus. The apparatus includes a hard drive that stores music files and play lists of music files. As shown in FIG. 12, names of play list files may be displayed on the screen. A user may select a name of a play list file the list and, responsive to the user's selection, the apparatus plays the music files in the order pre-determined by the play list. See col. 10, lines 41-53. The Examiner argues that the displayed list of play list file names reads on Applicant's play list file menu.

Applicant's play list file menu, on the other hand, is information about a hierarchical structure by which the play list files are accessible. An exemplary embodiment of Applicant's hierarchical structure is shown in FIGS. 4 and 5, for example. As shown, in the exemplary embodiment, the hierarchical structure may include, for example, a parent menu and a child menu. Using the parent menu, a user may choose between the options of playing a first play list or moving on to the child menu. Using the child menu, a user may choose between the options of playing a second play list, playing a third play list or returning to the parent menu.

As described above, Nonaka discloses displaying a list of play list names, one of which a user may select to play. Nonaka does not describe an option to move on to another menu (i.e., a child menu), which displays other play list names, for example. Accordingly, Nonaka does not disclose a play list file menu which is

information about a hierarchical structure by which the play list files are accessible,  
as now required by amended claim 1.

It is because Applicants include the feature of a record medium holding a play list file menu file of storing a play list file menu which is information of selecting a predetermined play list file of said plurality of play list files, that the following advantages are achieved. Namely, play list files stored on a record medium may be easily managed using a hierarchical structure according to a file held on the record medium.

Accordingly, for the reasons set forth above, claim 1 is patentable over the art of record.

Claims 5, 7, 8, and 10-12, while not identical to claim 1, include features similar to claim 1. Accordingly, claims 5, 7, 8 and 10-12 are also patentable over the art of record for the reasons set forth above.

Applicants' invention, as recited by amended claim 3, includes a feature which is neither disclosed nor suggested by the art of record, namely:

...the play list file menu display means is configured to display the play list file menu information by displaying at least one thumbnail image corresponding to at least one respective play list file, the displayed at least one thumbnail image changing according to a state in which the play list file selecting means selects the predetermined play list file.

This feature is found in the originally filed application at page 22, lines 3-22. No new matter has been added.

As described above with respect to claim 1, Nonaka discloses displaying a list of names of available play list files. A user may select a name of a play list file from the list and, responsive to the user's selection, the apparatus plays the music files in the order pre-determined by the play list. This is different from Applicant's system, because Applicants use thumbnails images which may change. By way of example, in one embodiment, Applicants' displayed thumbnail images may be different depending on what level in the hierarchical structure the play list menu display means is displaying. Nonaka does not use thumbnail images and, more particularly, Nonaka does not use thumbnail images that change.

Application No.: 10/725,940  
Amendment Dated: December 28, 2007  
Reply to Final Office Action of: October 2, 2007

MTS-3582US

In the Office Action, the Examiner argues that Proehl discloses thumbnails to represent each play list file (fig. 2 "440" "TEXT W/ THUMBNAIL). While Proehl does show use of a "text w/ thumbnail" in that figure, the thumbnail is only used to represent CD's contained in an attached system. Further, Proehl does not disclose use of any thumbnail images that change, as required.

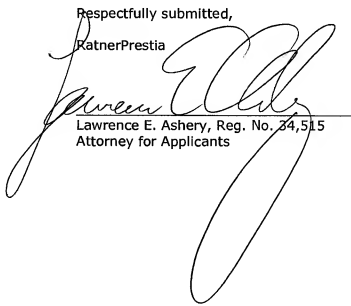
Accordingly, claim 3 is patentable over the art of record.

Claims 13-15 have been amended so that they are now in proper dependent form. Claim 16 is in proper dependent form.

Claims 2 and 4 include all the features of claim 1 from which they depend. Claim 6 includes all the features of claim 5 from which it depends. Claim 9 includes all the features of claim 8 from which it depends. Claims 13 and 16 include all the features of claim 10 from which they depend. Claims 14 and 17 include all the features of claim 11 from which they depend. Claims 15 and 18 include all the features of claim 12 from which they depend. Thus, claims 2-4, 6, 9 and 13-18 are also patentable over the art of record for the reasons set forth above.

In view of the amendments and arguments set forth above, the above identified application is in condition for allowance which action is respectfully requested.

Respectfully submitted,  
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Dated: December 28, 2007

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